

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

VENILDA HERNANDEZ,

Plaintiff,

v.

**LELAND DUDEK, Acting
Commissioner of the Social Security
Administration,¹**

Defendant.

NO. SA-23-CV-01403-OLG

March 21, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: _____ NM
DEPUTY

ORDER ADOPTING REPORT & RECOMMENDATION

The Court has considered United States Magistrate Judge Richard B. Farrer's Report and Recommendation (R&R), filed February 27, 2025, concerning Plaintiff's request for judicial review of the administrative denial of disability insurance benefits under Title II of the Social Security Act. (See R&R, Dkt. No. 17.)

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file specific written objections within fourteen days after being served with a copy of the findings and recommendations. FED. R. CIV. P. 72(b)(2). Based on the record, the parties, through counsel, were electronically served with a copy of the R&R on February 28, 2025. No objections have been filed, and the time to object has passed.

Accordingly, because no party has objected to the Magistrate Judge’s findings or recommendations, the Court reviews the R&R for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); cf. 28 U.S.C. § 636(b)(1) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations

¹Leland Dudek became the Acting Commissioner of the SSA on February 16, 2025, and is substituted as defendant in this case pursuant to Rule 25. See FED. R. CIV. P. 25(d).

to which an objection is made.”) After such review, the Court finds that the R&R is neither clearly erroneous nor contrary to law.

The Court therefore **ADOPTS** the Magistrate Judge’s R&R (Dkt. No. 17) and, for the reasons set forth therein, this case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

This case is **CLOSED**.

It is so **ORDERED, ADJUDGED, AND DECREED**.

SIGNED this 20 day of March, 2025.



ORLANDO L. GARCIA
United States District Judge